

P29691

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Uwe SCHOENROCK et al.

Confirmation No. 1033

Group Art Unit: 1631

Appl. No. : 09/132,799

Examiner: Borin, Michael L

Filed : August 13, 1998

For : COSMETIC OR DERMATOLOGICAL PREPARATIONS COMPRISING
OLIGOPEPTIDES FOR LIGHTENING THE SKIN OF AGE MARKS
AND/OR FOR PREVENTING TANNING OF THE SKIN, IN
PARTICULAR TANNING OF THE SKIN CAUSED BY UV RADIATION

TERMINAL DISCLAIMER

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window, Mail Stop _____
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

Your petitioner, Beiersdorf AG, a German corporation of Hamburg, Germany, whose business address is Unnastrasse 48, D-20253 Hamburg Germany represents that it is the owner of record of the entire right, title and interest of the above-identified application by virtue of an assignment recorded in the U.S. Patent and Trademark Office on October 19, 1998 at Reel 9552 Frame 0283 (4 pages) of U.S. Application No. 09/13 ,799 for COSMETIC OR DERMATOLOGICAL PREPARATIONS COMPRISING OLIGOPEPTIDES FOR LIGHTENING THE SKIN OF AGE MARKS AND/OR FOR PREVENTING TANNING OF THE SKIN, IN PARTICULAR TANNING OF THE SKIN CAUSED BY UV RADIATION, and is also an owner of the entire right, title and interest of U.S. Patent No. 6,852,699 by the same assignment.

The undersigned representative is authorized to act on behalf of the assignee, and it is certified that to the best of the undersigned's knowledge and belief, title is in the assignee.

Your petitioner, Beiersdorf AG, hereby disclaims, except as provided below, the terminal

P29691

part of any patent granted on the above-identified application which would extend beyond the expiration date of U.S. Patent No. 6,852,699 and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to United States Patent No. 6,852,699 this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above identified application prior to the expiration date of the full statutory term as defined in 35 U.S.C 154 to 156 and 173 as presently shortened by any terminal disclaimer of Patent No. 6,852,699 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate is reissued, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the failure of common ownership stated above.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,
Beiersdorf AG

By:

Name Dr. Jochem Wille

Signature 

Title Senior Patent Counsel

Date January 21, 2008